

33499
SEC

SERVICE DATE - MARCH 31, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34281

LB RAILCO, INC.
– LEASE AND OPERATION EXEMPTION –
PROVIDENCE AND WORCESTER RAILWAY COMPANY

Decided: March 28, 2003

By motion filed on March 27, 2003, the Town of Millbury (Millbury) requests that the Board (1) suspend action in this proceeding until after April 2, 2003, and (2) extend the deadline for filing replies to the motion to lift the Board's previously imposed stay, filed by Ms. Elizabeth Aubin, to April 2, 2003. Millbury states that it consulted with counsel for LB Railco, Inc., Elizabeth Aubin, the Massachusetts Department of Environmental Correction, and the Blackstone River Valley National Heritage Corridor Commission, about this request and received their concurrence.¹ Millbury states that the purpose of the suspension is to allow settlement negotiations to continue. Two similar extensions were granted by decisions served on February 20, 2003, and March 7, 2003.

Millbury's requests will be granted. The extensions will encourage settlement and prejudice no party.

It is ordered:

1. Action in this proceeding will be delayed until after April 2, 2003, and the deadline for filing replies to Ms. Aubin's motion to lift the stay is extended until April 2, 2003.

¹ Millbury states that it contacted counsel for the National Solid Waste Management Association but that counsel could not obtain consent from its client in time to join in this request.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary